

V-01F06001
Elm Creek

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

I. Indian/Native American Tribal Government (Federally Recognized)

Type of Applicant 2 Select Applicant Type

Type of Applicant 3 Select Applicant Type

* Other (specify)

*** 10. Name of Federal Agency:**

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.802

CFDA Title

Superfund State, Political Subdivision, and Indian Tribe Site-Specific Cooperative Agreements

*** 12. Funding Opportunity Number:**

EPA-CEP-02

* Title

EPA Mandatory Grant Programs

13. Competition Identification Number:

Title

14. Areas Affected by Project (Cities, Counties, States, etc.):

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*** 15. Descriptive Title of Applicant's Project:**

Remediation and restoration of Elm Creek Distal Zone, Distal Zone 13

Attach supporting documents as specified in agency instructions

Add Attachments

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9794286



Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a Applicant

OK 2nd

* b Program/Project

OK 2nd

Attach an additional list of Program/Project Congressional Districts if needed

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17. Proposed Project:

* a Start Date

09/01/2015

* b. End Date

08/31/2019

18. Estimated Funding (\$):

* a Federal

9,573,717.00

* b Applicant

0.00

* c State

0.00

* d Local

0.00

* e Other

0.00

* f Program Income

0.00

* g TOTAL

9,573,717.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☐ a This application was made available to the State under the Executive Order 12372 Process for review on☐ b Program is subject to E O 12372 but has not been selected by the State for review☒ c Program is not covered by E O. 12372*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes☒ No

If "Yes", provide explanation and attach

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21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix

* First Name

Tammy

Middle Name

* Last Name

Arnold

Suffix

* Title

Environmental Grants Manager

* Telephone Number

918-542-1853

Fax Number

918-540-2885

* Email

tarnold@quapawtribe.com

* Signature of Authorized Representative

Tammy Arnold

* Date Signed

08/30/2015

I. INTRODUCTION

A. Request for Funding

The Quapaw Tribe Environmental Office (QTEO) is requesting financial funding assistance from the U.S. Environmental Protection Agency (EPA) Region VI to fund the remediation and restoration of Elm Creek Distal Zone, Distal 13 for a four (4) year period between September 1, 2015 and August 31, 2019 in Federal Fiscal Years (FY) 2015 through 2018. This request is made pursuant to the provisions of the Comprehensive Environmental Response, Compensation and Liability Acts as amended, 42 United States Code §9601 to 9675. This cooperative agreement contributes to the attainment of environmental results under Compass Program Results Code 303DD2 as noted in EPA's Strategic Plan, Goal 3: Cleaning Up Communities and Advancing Sustainable Development, by enabling Tribes to lead or participate in Superfund cleanups, and to consult with EPA before, during, or after Superfund Cleanup activities as provided in CERCLA §121(f).

The QTEO's funding request for \$9,573,717 will allow for the remediation of the Distal 13 Site in a manner consistent with EPA's Record of Decision (ROD) for Operable Unit No. 4 (OU4) at the Tar Creek Superfund Site. This funding request has been prepared in accordance with 40 CFR Part 35 Subpart O, Sections 36.6100 through 36.6120. The required grant application forms (e.g., SF-424 Application for Federal Assistance, Assurances Non-Construction Programs Certification, Certification Regarding Lobbying, etc.) are provided in **Attachment A**.

On October 1, 2013, the EPA implemented the policy entitled "*Policy to Assure Competency of Organizations Generating Environmental Measurement Data under Agency Assistance Agreements*". This policy applies to the Quapaw Tribe of Oklahoma Environmental Office (QTEO) and any grantee receiving an assistance agreement that is expected to exceed a total value of over \$200,000 (in federal funding) and is generating or using environmental data in the agreement. The QTEO has demonstrated competency through the maintenance of quality assurance project plans for data collection activities for various EPA grants including, but not limited to, Section 106 and Section 319 of the Clean Water Act, Section 103 of the Clean Air Act, several remedial response cooperative agreements and inter-agency agreements (Distal 8, Distal 6a, Distal 13 Distal Package), and the existence of an EPA-approved Quality Management Plan.

B. Background

Through the EPA Region VI General Assistance Program (GAP), the Quapaw Tribe Environmental Office was established on October 1, 1997. In June of 1998, the Quapaw Tribal Chairman and the EPA Region VI Administrator signed a Tribal Environmental Agreement (TEA), which established a formal agreement between the Tribe and the EPA to address the issues raised regarding the environmental protection of Quapaw Tribal land. As a result of that process, the Tribal Environmental Office is working toward the remediation of Tribal land on the Tar Creek Superfund Site in such a manner which protects human health, the environment, and the cultural heritage of the Quapaw people.

The Quapaw Tribe is currently administering an EPA Superfund management assistance grant under an existing Superfund support agency cooperative agreement. The Tribe entered into this support agency cooperative agreement with EPA Region VI in 2001. This management assistance grant has enabled the Tribe to provide "meaningful and substantial involvement" in the decisions related to the development and implementation of the OU4 ROD. Working together with EPA and other stakeholders on Tar

**Work Plan and Budget
Grant Application
Remedial Response Cooperative Agreement
Elm Creek Distal Zone, Distal 13 Package
9/1/15 through 8/31/19**

Submitted to
U.S. Environmental Protection Agency, Region VI



Prepared by
Quapaw Tribe of Oklahoma



P.O. Box 765
Quapaw, OK 74363
(918) 542-1853

Creek issues over the past 12 years has enabled the QTEO to develop the technical capacity required to administer a remedial response cooperative agreement.

Recent remedial response activities (Distal 6a, Distal 8, Beaver Creek North (CP 060)) have enhanced the Tribe's technical capacity to perform work under the Superfund Program, and will benefit as additional work is being implemented at the Tar Creek Superfund Site.

The following personnel are employed by the QTEO:

- Environmental Director – Tim Kent, P.G.
- Assistant Director/Environmental Engineer – Craig Kreman, E.I.
- Environmental Grants Manager – Tammy Arnold
- Environmental Specialist II – Susie Attocknie
- Environmental Specialist I – Cathy Sloan
- Environmental Technician I – Ally Ricky

II. PROJECT NARRATIVE

A. Site Description

The Tar Creek Superfund Site is a former lead and zinc mining area in Ottawa County, Oklahoma, located within the Oklahoma portion of the Tri-State Mining District, which covers parts of Oklahoma, Kansas, and Missouri. The Tar Creek Superfund Site includes an area (approximately 40 square miles) in northern Ottawa County where lead and zinc mining operations were conducted and any area where a hazardous substance from mining or milling in Ottawa County has been stored or disposed. The Tar Creek Superfund Site is bound on the north by the Kansas state line and includes, among other areas, the cities of Commerce, North Miami, and Quapaw, including the former towns of Picher and Cardin.

The Distal 13 Site is located west of S 560 County Road just north of Commerce, Oklahoma within Operable Unit 4 Elm Creek Distal Zone and is classified as Distal Zone 13. The Distal 13 Package includes two (2) fine tailings ponds (FT006 and FT007), five (5) chat bases (CB026, CB027, CB028, CB028-S01, CB030, CB031), and two chat piles (CP008, CP009), a segment of railroad ballast consisting of source material, and a total of five (5) known mine shafts, and four (4) known cased borings at this site. Distal 13 is located within Region 22 E, Township 29 N, Section 36. Contaminated mine and mill wastes, also known as source material, in the form of chat, fine tailings, flotation tailings, and development rock, all in varying amounts, have affected both soil and water at the Distal 13 Site. This proposed remedial response will address only source material (both marketable and unmarketable) and affected transition zone (TZ) soils, and will consider the recommendations of the EPA's Optimization Report. The contaminants of concern (COCs) at the Distal 13 Site are lead, zinc, and cadmium. Detailed maps of the areas of proposed remedial action are attached in **Attachment B**. It should be noted that many these maps were generated by EPA's contractor and show source material quantities that were based on previous site characterization activity. However, QSA has conducted extensive follow-up sampling and measuring of source material at the site and quantities shown on the referenced maps generated by EPA's contractor will require updating before they are incorporated into site specific plans.

Chat-laden surface water runoff from the Distal 13 site has contributed to water quality impairment in Elm Creek. Ground water quality in the Elm Creek watershed has also been impacted by mining. Of the two main aquifers in the region, the shallow Boone and the deeper Roubidoux, mining activities were

confined to the overlying Boone. Thus, the Boone aquifer is the primary source of subsurface ground water contamination. Once the extensive network of mine workings filled with water, the water became acidic and laden with metals. The underlying Roubidoux aquifer is the principal source of drinking water in the region.

B. Site-Specific Statement of Work

In order to complete the remediation of the Distal 13 site, the Tribe anticipates completing the following two major tasks:

Task 1: Tribal Project Management

The Tribe will be performing the remedial response activity related to the cleanup of the Distal 13 Site; the QTEO will be responsible for the management of the Cooperative Agreement grant and for general project management and oversight of contractors, including the analytical laboratory contractor. Accordingly, the Tribe, in coordination with the EPA, will ensure the quality and effectiveness of the remedial action. The Tribe anticipates that more time and effort will be required of Tribal staff during the first 18 months and last 8 months of the 4 year project period. Consequently, the percentage of time required for each staff person to complete work plan tasks is as subdivided into Year 1 through 4 subcategories.

Below is a list of the primary tasks that the QTEO will undertake in overall project management, followed by a list of QTEO staff and the corresponding percentage of their time that is anticipated to be spent on that task for years 1 through 4 of the project.

Generation of Requests for Proposals (RFPs): This may include RFPs for the engineering support contractor as well as the analytical laboratory contractor that will be assisting the QTEO.

Environmental Director's Time:	Year 1 = 5%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%
Environmental Engineer's Time:	Year 1 = 4%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%
Environmental Grants Manager's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%
Environmental Technician's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%

Development and administration of contracts: This may involve negotiating and reviewing contracts, once contractors, if required, are selected. The Tribe's attorney will be involved in this process.

Environmental Director's Time:	Year 1 = 2%	Year 2 = 2%	Year 3 = 2%	Year 4 = 2%
Environmental Engineer's Time:	Year 1 = 4%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%
Environmental Grants Manager's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%
Environmental Technician's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%

On-site inspection. This will include having a representative of the Tribe periodically on site to ensure that work complies with the plans and specifications as reviewed and approved by EPA. On-site personnel representing the Tribe will be qualified and experienced in inspection of remediation projects and will be familiar enough with the engineering plans and all other project related documents (i.e. QA/QC plans, and Health and Safety Plan, SWPPP, SAP, SOPs, etc.) to ensure contractor compliance with the requirements in these documents. On-site personnel shall keep daily logs and take photographs of site activity.

Environmental Director's Time:	Year 1 = 2%	Year 2 = 2%	Year 3 = 2%	Year 4 = 2%
Environmental Engineer's Time:	Year 1 = 3%	Year 2 = 5%	Year 3 = 1%	Year 4 = 1%
Environmental Grants Manager's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%
Environmental Technician's Time:	Year 1 = 5%	Year 2 = 5%	Year 3 = 1%	Year 4 = 1%

Document review. This will include review of submittals from QSA, engineering consultant if applicable, and analytical lab (progress reports, engineering drawings, work measurement, pay requests, lab results, inspection reports, photographs, etc.).

Environmental Director's Time:	Year 1 = 6%	Year 2 = 2%	Year 3 = 1%	Year 4 = 1%
Environmental Engineer's Time:	Year 1 = 9%	Year 2 = 2%	Year 3 = 1%	Year 4 = 1%
Environmental Grants Manager's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%
Environmental Technician's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%

Meetings: QTEO staff will participate in project related meetings including periodic daily tailgate meetings, progress meetings, safety meetings, consultation meetings with EPA, and other meetings as issues arise. This may include utilization of the engineering support contractor to represent the Tribe when appropriate QTEO staff persons are unable to attend some meetings.

Environmental Director's Time:	Year 1 = 2%	Year 2 = 2%	Year 3 = 1%	Year 4 = 1%
Environmental Engineer's Time:	Year 1 = 2%	Year 2 = 2%	Year 3 = 1%	Year 4 = 1%
Environmental Grants Manager's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%
Environmental Technician's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%

Coordination/consultation with, and reporting to, EPA: This will include ongoing communications and meetings with EPA's Remedial Project Manager (RPM) assigned to the project; and generating the required quarterly reports.

Environmental Director's Time:	Year 1 = 5%	Year 2 = 5%	Year 3 = 2%	Year 4 = 2%
Environmental Engineer's Time:	Year 1 = 4%	Year 2 = 4%	Year 3 = 2%	Year 4 = 2%
Environmental Grants Manager's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%
Environmental Technician's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%

Public Outreach: This will include public meetings, newsletter articles, information availability outreach efforts, and reporting to the Tribal Business Committee. The QTEO will provide draft copies of outreach materials such as fact sheet or newsletters to the EPA's RPM and Community Involvement Coordinator prior to distribution for review and comment. The EPA should also be notified of any schedule public meetings or outreach efforts.

Environmental Director's Time:	Year 1 = 1%	Year 2 = 1%	Year 3 = 1%	Year 4 = 1%
Environmental Engineer's Time:	Year 1 = 1%	Year 2 = 1%	Year 3 = 1%	Year 4 = 1%
Environmental Grants Manager's Time:	Year 1 = 2%	Year 2 = 2%	Year 3 = 2%	Year 4 = 2%
Environmental Technician's Time:	Year 1 = 2%	Year 2 = 2%	Year 3 = 2%	Year 4 = 2%

Design, implementation and monitoring of soil amendments: It is anticipated that some monitoring of the Distal 13 Site remediation will be required during the grant period to ensure that the remedies are performing as designed before becoming operational. This will likely include sampling of soils and vegetation.

Environmental Director's Time:	Year 1 = 0%	Year 2 = 5%	Year 3 = 2%	Year 4 = 2%
Environmental Engineer's Time:	Year 1 = 0%	Year 2 = 4%	Year 3 = 2%	Year 4 = 2%
Environmental Grants Manager's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%
Environmental Technician's Time:	Year 1 = 0%	Year 2 = 2%	Year 3 = 2%	Year 4 = 2%

Grant administration: This will include, but not limited to, budget tracking, records/document management and storage, and communications with EPA grant administrative staff.

Environmental Director's Time:	Year 1 = 4%	Year 2 = 4%	Year 3 = 2%	Year 4 = 4%
Environmental Engineer's Time:	Year 1 = 4%	Year 2 = 4%	Year 3 = 2%	Year 4 = 4%
Environmental Grants Manager's Time:	Year 1 = 10%	Year 2 = 8%	Year 3 = 8%	Year 4 = 10%
Environmental Technician's Time:	Year 1 = 0%	Year 2 = 0%	Year 3 = 0%	Year 4 = 0%

Summary of Time and Effort Required:

Environmental Director's Time:	Year 1 = 27%	Year 2 = 23%	Year 3 = 13%	Year 4 = 15%
Environmental Engineer's Time:	Year 1 = 31%	Year 2 = 22%	Year 3 = 10%	Year 4 = 12%
Environmental Grants Manager's Time:	Year 1 = 12%	Year 2 = 10%	Year 3 = 10%	Year 4 = 12%
Environmental Technician's Time:	Year 1 = 7%	Year 2 = 9%	Year 3 = 5%	Year 4 = 5%

Task 1 Method:

The Tribal project management tasks listed above will be accomplished by utilizing QTEO staff in accordance with their workload. The Tribe's engineering support contractor will be utilized as needed. All time and effort expended in completing these tasks shall be reported in the quarterly reports to EPA.

Task 1 Cost Estimate:

A summary of the estimated costs associated with the completion of Task 1 is included below in the table.

Subtask Description	Subtask Cost
Tribal Project Management	\$477,182.00
TASK 1 TOTAL	\$477,182.00

Note 1: Includes personnel costs and fringe benefit costs for Quapaw Tribe staff, supplies, and indirect costs. See **Attachment C** for budget narrative on behalf of the Quapaw Tribe Environmental Office for the Distal 13 Remedial Response Activities.

Task 1 Planned Schedule/Output:

It is anticipated that the Tribal project management tasks listed above will be conducted and completed throughout the grant period according to the schedule established below. All activities related to remediation of the Distal 13 Site, including Time and Effort (T&E) reports will be included in the quarterly reports to EPA.

Task 2: Site Remediation

Remedial activities at the Distal 13 Site shall consist of the following subtasks:

1. Preparation of site specific plans and pre-construction submittals, including material submittals, health and safety related certifications, personnel related requirements, site specific work plans, project engineering support, etc.
2. Mobilization, including installation of decontamination facilities, waste containment facilities, scale house, construction trailers etc.
3. Site preparation, including pre-construction site survey, ingress/egress access road preparation and construction, site clearing, work zone establishment, etc.
4. Removal, transportation, and disposition of source material (both marketable and unmarketable), and waste materials. TZ soils will be addressed through the use of soil amendments.
5. Possible capping of source material deposits that extend below grade (this shall be done as deemed appropriate, in consultation with EPA, during excavation activity).
6. Filling and capping of mine shafts, and cased borings, including cover construction over filled mine shafts.

7. Water management, including storm water best management practices in protecting nearby streams and waterways from potential runoff.
8. Sampling and analysis, including confirmation grid sampling to evaluate remedial action of transition zone soils.
9. Site restoration, including follow-up monitoring of remediated areas and maintenance, as needed, to address inadequacies of the remedy before it becomes operational. Use of soil amendments for remediation, revitalization, and reuse of the site. Follow-up monitoring and maintenance of soil amendment measures in evaluating performance measures in relation to the ROD. This will likely include sampling of soil, water and vegetation (see Task 2 Method below).
10. Decontamination and demobilization, including intermediate decontamination before exiting the exclusion zone, disposal of debris and rinsate, and deconstruct/demobilize all site facilities.
11. Preparation and operation of Central Mill Tailings Repository near Cardin, Oklahoma, including operational costs of equipment (dozer, excavator, compactor, ect.) and costs for onsite personnel.

Task 2 Method:

This task shall be completed by the QTEO through its construction division, Quapaw Services Authority (QSA), with the possible assistance of various contractors including an engineering support contractor and a laboratory contractor who will be selected, as necessary, by the QTEO utilizing the tribes' existing procurement procedures which are consistent with the procurement requirements described in the Code of Federal Regulations (40 CFR Part 35 Subpart O, Section 35.6550) for States and Tribes procuring services funded by EPA through the Superfund program. The QTEO will send Request for Proposals (RFP) to several qualified remediation related contractors as needed. Bids will be evaluated utilizing a qualification-based grading system.

Monies requested with this grant application include time and effort of the QTEO and QSA to conduct and assess soil amendment remedial activities at the Distal 13 Site. A recent shift in remedial action at the Tar Creek Superfund Site has included possible soil amendment of elevated transition zone soil concentrations of contaminants of concern (lead, zinc, and cadmium) as the means of achieving the requirements of the OU4 ROD. This differs from the normal remedial action of removing transition zone soils that exhibit concentrations of COCs above remedial goals (lead = 500 mg/kg, zinc = 1100 mg/kg, and cadmium = 10 mg/kg), and transporting them to an off-site chat repository located within the Tar Creek Superfund Site. The EPA's optimization team has recommended specific soil amendments, to be applied to the contaminated soils at the Site, and set technical performance measures (TPMs), for use in demonstrating whether these soil amendments are functioning as designed to reduce contaminant mobility and bioavailability. With the addition of appropriate soil amendments, metals (cadmium, lead, and zinc) in the amended area are chemically precipitated and/or sequestered by complexation and sorption mechanisms within the contaminated substrate. Metal availability to plants is minimized, and metal leaching into ground water can be reduced. In certain cases, metal availability below the treated area is also reduced. Native plant species or other species will be selected to re-vegetate the Site after application of the soil amendments. The selection of plant species for amended soil will be based on the availability of seed or seedlings, their ability to establish and grow in the newly created root zone, the species' inability to translocate metals from roots into the above-ground biomass of the plant, and land use and management considerations.

Technical performance measures have the potential to be used collectively throughout the site if they prove to be effective in remediating the contaminated soil. In that sense, a series of steps and procedural processes will be established to guide the remedial action.

Task 2 Cost Estimate:

A summary of the estimated costs associated with the completion of Task 2 is included below in the table.

Subtask Description	Subtask Cost
Preparation of Site-Specific Plans, Pre-construction Submittals, & Project Engineering Support	\$60,800
Site Mobilization	\$274,400
Site Preparation	\$333,795
Construction and Maintenance of Access Road	\$388,185
Removal, Transportation, & Disposal of Unmarketable Source Material, Waste Material, and TZ Soils	\$5,502,380
Removal, Transportation, and Disposal of Marketable Source Material	\$880,000
Filling & Capping of Mine Shafts and Cased Borings	\$122,500
Water Management	\$129,500
Sampling and Analyses	\$61,400
Site Restoration (including soil amendments)	\$565,085
Decontamination and Demobilization	\$148,850
Repository ¹	\$490,575
Pre-Operational Follow-Up Construction	\$49,000
Health and Safety Incentive (1% of Total Budget)	\$90,065
TASK 2 TOTAL	\$9,096,535

Notes:

1 – Assume site operation at the Central Mill Tailings Pond Repository at County Road 40.

It is important to note that all quantities of source material used to calculate the Cost Estimate for Task 2 are based on extensive site investigation activities, including backhoe pits and surveyed elevations of above-grade source material accumulations. Calculations were made utilizing AUTOCAD software with source material depths, elevations, and aerial extents as data inputs.

Attachment D provides a detailed spread sheet with the estimated costs broken out according to each associated individual task comprising the overall "Task 2".

Task 2 Planned Schedule/Output:

Below is a table listing the planned schedule of remedial response activities at the Distal 13 site.

Task #	Task Description	Proposed Start Date	Proposed End Date	Time Required (days)	Task Status ¹
1	Grant Award	09/01/2015	-	-	Pending
2a	Develop Engineering Support RFP	If necessary	-	-	Pending
3a	Solicit Bids for Eng. Support Contractor	If necessary	-	-	Pending
4a	Solicit Bids for Analytical Lab Contractor	As necessary	-	-	Pending
4b	Select Analytical Lab Contractor	As necessary	-	-	Pending
5	Develop Site-Specific Plans (Health & Safety Plan, Community Relations Plan, QAPP, etc.)	09/01/2015	10/01/2015	31	Pending
5b	Select Engineering Support Contractor	If necessary	-	-	Pending
7	Pre-Construction Meeting	10/01/2015	-	-	Pending
8	Mobilization and Site Preparation	10/01/2015	10/21/2015	20	Pending
9	Source Material Removal	10/22/2015	03/22/2016	150	Pending
10	Site Restoration Remedial Action ¹	03/22/2016	03/22/2018	730	Pending
11	Post-Construction Meeting/Final Walkthrough	04/01/2018	-	-	Pending
12	Decontamination/Demobilization	03/22/2016	04/01/2016	10	Pending
13	Remedy Monitoring	03/22/2016	03/22/2019	1,095	Pending
14	Develop and Finalize Remedial Action Report	03/22/2019	08/01/2019	130	Pending
15	Finalize Grant Close-out	08/01/2019	09/30/2019	60	Pending

Notes:

1 – Site Restoration Remedial Action will include soil amendments as specified by EPA Optimization Team's Technical Performance Measures.

C. Lead Site Project Manager

The lead site project manager for the Distal 13 site remediation will be Mr. Tim Kent, Environmental Director of the Quapaw Tribe Environmental Office (QTEO). The QTEO has coordinated with other Tribal departments including, but not limited to, the Tribal Realty Department and the Tribal Historic Preservation Department (THPO) in the process of planning the proposed remedial response activities.

D. Site-Specific Community Involvement Plan

A site-specific Community Involvement Plan (CIP) will be developed by the Quapaw Tribe, in accordance with 40 CFR Part 35 Subpart O, Section 35.6105(a)(2)(iv). In accordance with the CIP, the Tribe will prepare Fact Sheets for Tribal members, host informational meetings, and post a sign at the site to inform the public about what is happening and where to call if they see any criminal activity or trespassing on the site. The Quapaw Tribe of Oklahoma will comply with the community involvement requirements described in EPA policy and guidance, and in the National Contingency Plan. This plan will be updated as necessary to include activities described in this grant application.

E. Site-Specific Health and Safety Plan

A site-specific Health and Safety Plan (HSP) will be developed by the Quapaw Tribe and submitted to EPA Region VI before field activities begin, in accordance with 40 CFR Part 35 Subpart O, Section

35.6105(a)(2)(v). The HSP will ensure the protection of on-site personnel and area residents. This plan will be updated as necessary to include activity described in this grant application.

F. Quality Assurance

The QTEO is well aware of EPA's unwavering commitment to Quality Assurance and Quality Control (QA/QC). The QTEO is equally committed to the generation of sound, scientific; quality assured data along with the successful completion of quality projects. The QTEO is currently administering eight (8) EPA grants under an existing EPA-approved Quality Management Plan (QMP). The QTEO will submit site-specific pertinent QA/QC Plans, all of which will need to be approved by EPA before field work begins. A Quality Assurance Project Plan (QAPP), Field Sampling Plan (FSP), Transportation Plan (TP), and Storm Water Pollution Prevention Plan (SWPPP) will ensure the application of the soil amendments and the associated implementation of the TPMs are addressed.

G. Schedule of Deliverables

Project deliverables will be both administrative and technical in nature. The administrative/grant deliverables will include 1) quarterly reporting to the EPA-designated Project Officer on the progress made toward individual work plan tasks along with financial updates, 2) a final report documenting the successful completion of all work plan tasks, and 3) all other certifications and grant forms typically required to successfully administer and close-out an EPA grant (i.e. FSR, MBE/WBE, etc.) The technical/remediation deliverables will include: 1) periodic conference calls and meetings with the EPA-designated Remedial Project Manager (RPM) to report on the progress made in planning, implementing, and finishing the proposed remedial project, 2) a final walk through with EPA staff and Tribal representatives prior to project close-out, and 3) a remedial action report upon project close-out. The target dates for these project deliverables are incorporated into the proposed project timeline in Section B.

III. OPTIMIZATION REVIEW ACKNOWLEDGEMENT

The recent Remedial Action Optimization Report (USEPA-OSRTI, 2014), recommends reprioritizing OU4 cleanup activities to areas within floodplains and riparian areas. Most of the source material to be addressed for this project is within the 100-year floodplain of Elm Creek; therefore, this project is consistent with the recommendations of the Remedial Action Optimization Report.

IV. CERCLA ASSURANCES

A. Operation and Maintenance

Once RAOs have been met and the project has been "closed out", appropriate land owners will assume responsibility for all future operation and maintenance of the CERCLA-funded remedial action at the Distal 13 Site for the expected life of the remedial action as required by CERCLA Section 104(c). This statement is made with the assumption that there will be no source material left on the surface at the site.

B. Cost Sharing

The Quapaw Tribe of Oklahoma will not share in the cost of the CERCLA-funded remedial action at the Distal 13 Site as Indian Tribes are not required to share in such costs according to 40 CFR Part 35 Subpart O, Section 35.6110(b)(3).

C. Off-Site Disposal Location

An undetermined amount of source material will be disposed of on-site to fill open mine shafts and subsidence features at the Distal 13 site. Otherwise, all remaining source material will be disposed of off-site at an EPA chat disposal site called the Central Mill Tailings Repository near Cardin, OK, or taken to a chat processor under a chat sales agreement between the chat owner(s) and chat processor. This repository has more than adequate capacity to securely receive and dispose of all source material and TZ soils (if necessary) associated with the remediation of the Distal 13 site.

D. Notification of out-of-an-area-of-Indian-Country transfer of CERCLA Waste

The Quapaw Tribe of Oklahoma will provide the Oklahoma Department of Environmental Quality (ODEQ) with written notification of off-site shipments of CERCLA waste from the Distal 13 site (restricted fee land) to the 605 Road Repository (non-restricted fee land), according to the requirements of 40 CFR Part 35 Subpart O, Section 35.6120.

Attachment A

**QUAPAW TRIBE ENVIRONMENTAL OFFICE
Required Grant Application Forms**

[See Attached]

Attachment B

**QUAPAW TRIBE ENVIRONMENTAL OFFICE
Detailed Map of Proposed Remedial Action Area**

[See Attached]



LEGEND

	BIA Tracts		Property Boundaries
	Creek		Sections
	Chat Piles		Streets
	Fine Tailings		
	Distal Zones		
	Chat Bases		

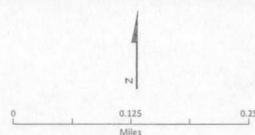
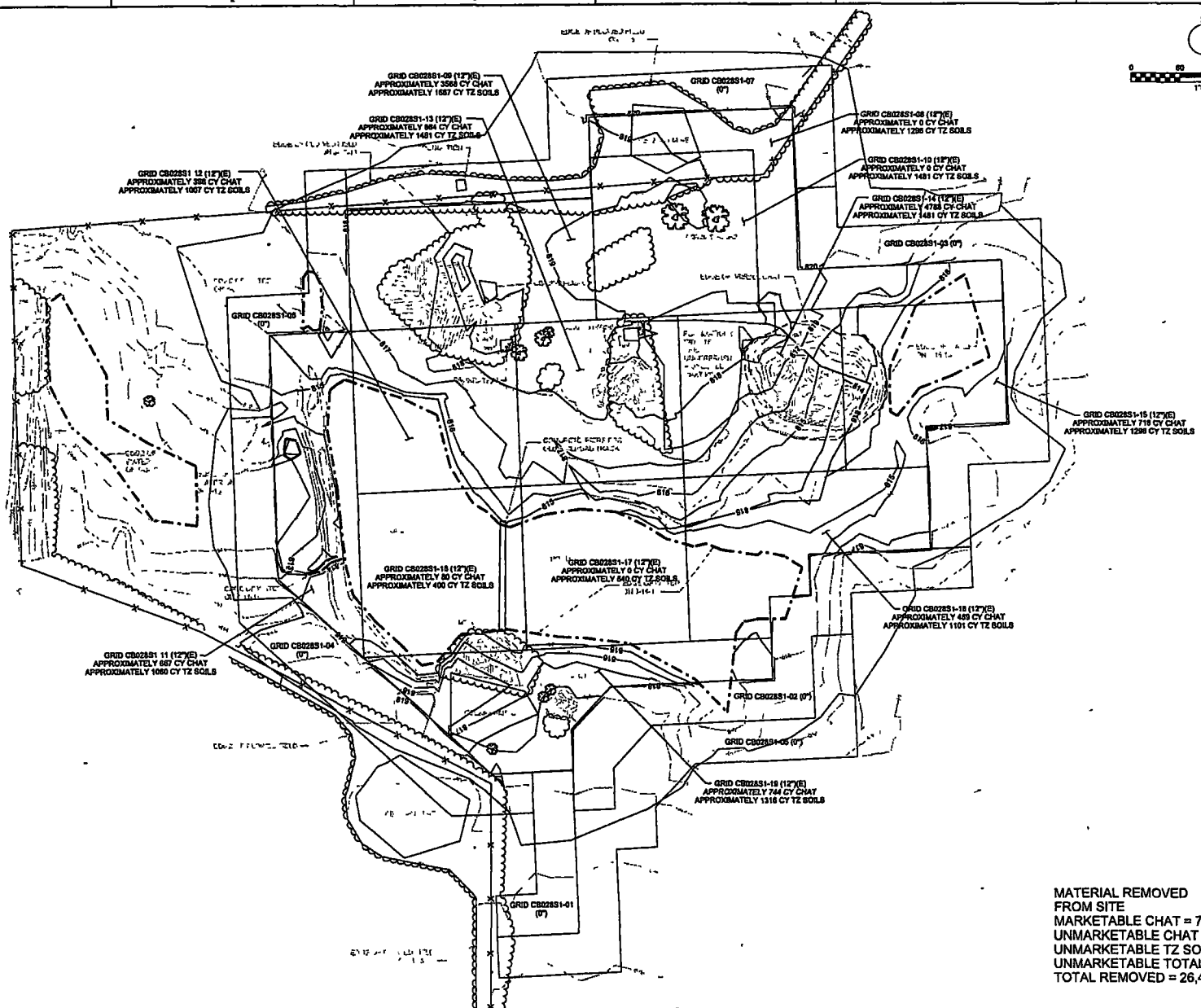


FIGURE 1
Distal 13 Remediation Plan
Tar Creek Superfund Site
Operable Unit No. 4
Ottawa County, Oklahoma







CH2MHILL

CIVIL

DISTAL AREA 13

CB028S1 - POST SOURCE

MATERIAL REMOVAL GRADING PLAN

13777 WEST DRIVE, SUITE 100
 DALLAS, TEXAS 75251 877-480-4170
 Oklahoma Certificate of Authorization # 2012
 EARTH CONSTRUCTION

SEPA

TAN CREEK SOURCE MATERIAL
 OTTAWA COUNTY, OKLAHOMA

RELIEF OF SOILS/CHAT: THIS DOCUMENT AND THE DATA AND CHANGES THEREON ARE THE PROPERTY OF CH2M HILL AND ARE NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CH2M HILL.

NO.	DATE	BY	REVISION
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

VERIFY SCALE

BAR IS ONE INCH ON ORIGINAL DRAWING

DATE: MAY 2012

PROJ: 413801

DWG: CB028S1-C-2001D13

SHEET: 1

FIGURE 4

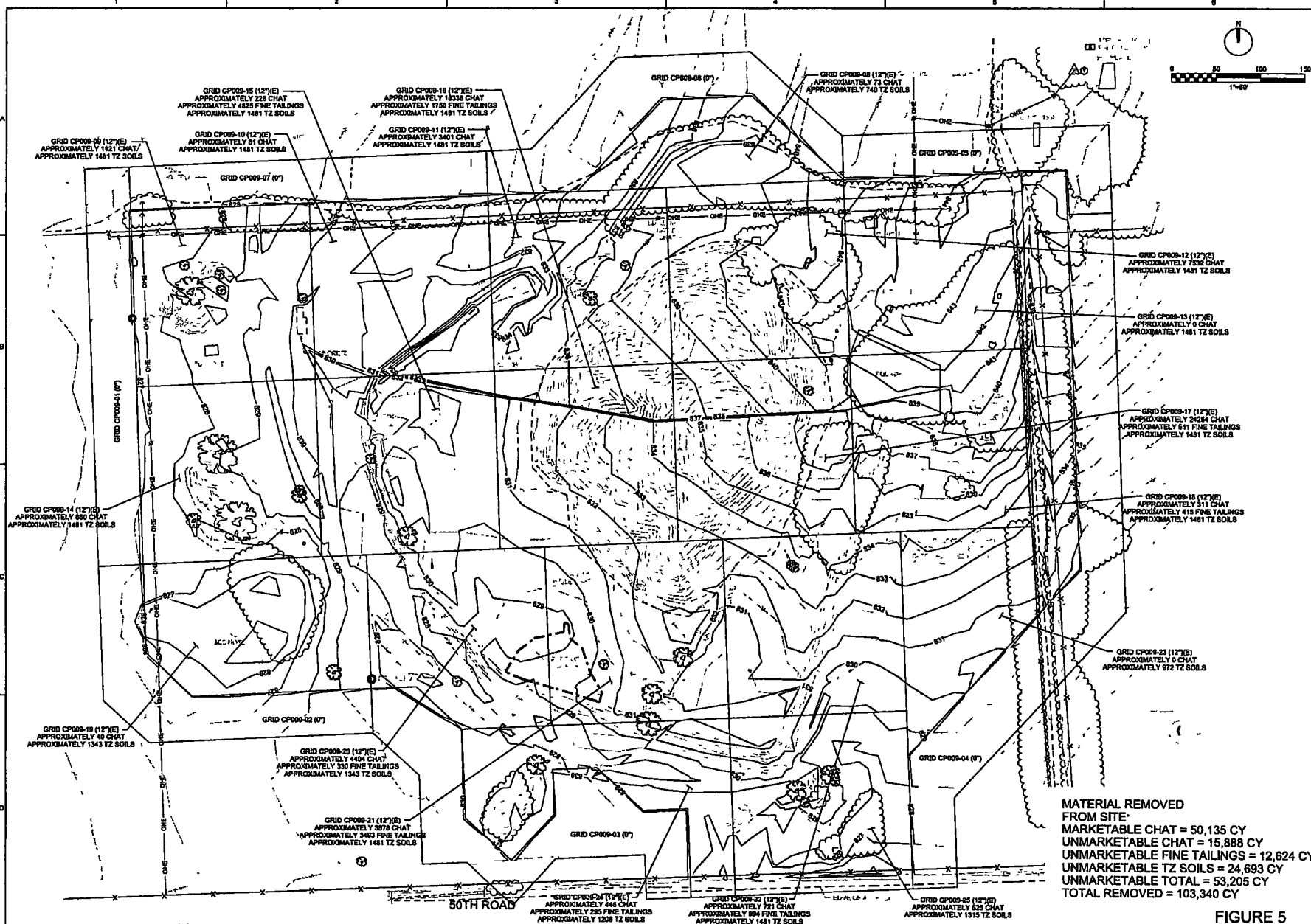


FIGURE 5

PW SERVER LOCATION: W90 FILENAME: CP009-C-2001013_388743.dgn PLOT DATE: 20130611 PLOT TIME: 8:59:12 AM

1237 MERT DRIVE SUITE 100 DALLAS, TEXAS 75201 872-880-2170 CH2MHILL ENGINEERING, INC.		1237 MERT DRIVE SUITE 100 DALLAS, TEXAS 75201 872-880-2170 CH2MHILL ENGINEERING, INC.	
CH2MHILL		CH2MHILL	
DISTAL AREA 13 CP009 - POST SOURCE MATERIAL REMOVAL GRADING PLAN		DISTAL AREA 13 CP009 - POST SOURCE MATERIAL REMOVAL GRADING PLAN	
VERIFY SCALE BATH ONE BATH ON ORIGINAL SCALE: 1"		VERIFY SCALE BATH ONE BATH ON ORIGINAL SCALE: 1"	
DATE: APRIL 2013		DATE: APRIL 2013	
PROJ: 4133		PROJ: 4133	
DWG: CP009-C-2001013		DWG: CP009-C-2001013	
SHEET		SHEET	
NO. DATE		NO. DATE	
DESIGN		DESIGN	
CHECK		CHECK	
BY		BY	
APPROVED		APPROVED	
BY		BY	
APPROVED		APPROVED	

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FIGURE 6
CP008, CB026, CB030, CB031
Source Material Grid Location Map

Attachment C

QUAPAW TRIBE ENVIRONMENTAL OFFICE
Quapaw Tribe Environmental Office Budget Narrative

[See Attached]

Quapaw Tribe of Oklahoma FY 2015-2019 DISTAL 13

September 1, 2015 to August 31, 2019

PERSONNEL	SALARY		TIME %		YEARS	TOTAL
Environmental Director	\$105,157 00	*	0 30	*	4	\$ 126,189.00
Data Analysis Manager/Environmental Engineer	\$73,427 00	*	0 30	*	4	\$ 88,112.00
Environmental Grants Manager	\$50,834 10	*	0 10	*	4	\$ 20,334.00
Environmental Specialist I	\$38,261 90	*	0 10	*	4	\$ 15,305.00

PERSONNEL TOTAL = \$ 249,940.00

The above positions are full-time Duties are outlined in the work plan

FRINGE BENEFITS

FICA-S	6 200%
FICA-M	1 450%
Worker's Compensation	0 005%
TOTAL %	7.655%

PERSONNEL TOTAL * FRINGE TOTAL = \$249,940.00 * 7.655% = \$ 19,133.00

401K Contribution \$249,940 00 * 4 500% = \$ 11,248.00

	Per Employee		FTE		YEARS	
SUTA	\$603 00	*	0 80	*	4	= \$ 1,930.00
Health, Dental, Vision & Life Insurance	\$10,200 00	*	0 80	*	4	= \$ 32,640.00

FRINGE TOTAL = \$ 64,951.00

SUPPLIES

	Cost/Month		Months	
Office supplies(\$75/month)	75	*	48	= \$ 3,600.00
Personal Protective Equipment (\$1,000/year)				= \$ 4,000.00

SUPPLIES TOTAL = \$ 7,600.00

CONTRACTUAL

Includes cost for services rendered by engineering support contractor and remediation services = \$ 9,096,535.00
(See Attachment D of Work Plan)

CONTRACTUAL TOTAL = \$ 9,096,535.00

OTHER

	Cost/Month		Months	
Vehicle Maintenance and Fuel				= \$ 2,000.00
Vehicle Insurance				= \$ 450.00
Cellular Telephone (\$120/month)	120	*	48	= \$ 5,760.00
Internet Hotspot (\$75/month)	75	*	48	= \$ 3,600.00

OTHER TOTAL = \$ 11,810.00

SUBTOTAL = \$ 9,430,836.00

INDIRECT COSTS @ 42.74% = \$ 142,881.00

Subtotal \$ 9,430,836.00 minus \$ 9,096,535.00 = \$ 334,301.00

Pass thru cost

TOTAL PROJECT COST = \$ 9,573,717.00

Attachment D

**QUAPAW TRIBE ENVIRONMENTAL OFFICE
Estimated Construction Costs for Remedial Activities**

[See Attached]

Elm Creek Distal Zone, Distal 13 - Estimate Construction Costs for Remedial Activities

Line Items	Quantities	Unit	Unit Price	Subtotal
1 Preparation of Site-Specific Plans, Pre-construction Submittals, and Project Engineering Support				
a Site-Specific Work Plan	1	PLAN	\$2,500 00	\$2,500 00
b Field Sampling and Analysis Plan	1	PLAN	\$5,000 00	\$5,000 00
c Quality Assurance Project Plan	1	PLAN	\$5,000 00	\$5,000 00
d Site Management Plan	1	PLAN	\$1,500 00	\$1,500 00
e Storm Water Pollution Prevention Plan	1	PLAN	\$4,000 00	\$4,000 00
f Construction Quality Assurance Plan	1	PLAN	\$3,000 00	\$3,000 00
g Transportation Plan	1	PLAN	\$2,500 00	\$2,500 00
h Disposition Plan	1	PLAN	\$1,500 00	\$1,500 00
i Mine Shaft Closure Plan	1	PLAN	\$500 00	\$500 00
j Closed Boring Abandonment Procedures	1	PLAN	\$500 00	\$500 00
k Waste Management Plan	1	PLAN	\$500 00	\$500 00
l Spill Response Plan	1	PLAN	\$500 00	\$500 00
m Project Specifications	1	PLAN	\$1,500 00	\$1,500 00
n Health and Safety Plan	1	PLAN	\$1,500 00	\$1,500 00
o Engage Oklahoma Surveyor to Shoot Boundaries and Mark Work Areas	1	PLAN	\$24,000 00	\$24,000 00
p Develop Community Relation Plan	1	PLAN	\$1,500 00	\$1,500 00
q Develop Remedial Action Report	1	REPORT	\$5,300 00	\$5,300 00
Line Item 1 Subtotal				\$60,800 00
2 Site Mobilization				
a Office Trailer w/ Utilities	10	MONTHS	\$2,145 00	\$21,450 00
b Portable Toilets × 5	10	MONTHS	\$520 00	\$5,200 00
c Portable Truck Scales	10	MONTHS	\$3,900 00	\$39,000 00
d Portable Truck Scales, Building w/ Utilities	10	MONTHS	\$1,980 00	\$19,800 00
e Safety/Zone Fencing, Signage & Barricades	1	LUMP SUM	\$6,240 00	\$6,240 00
f Lighted Traffic Boards × 6 (\$1,200 each)	10	MONTHS	\$7,200 00	\$72,000 00
g 330 Excavator (90K lb)	1	DELIVERY	\$3,250 00	\$3,250 00
h 318 Excavator (50K lb)	1	DELIVERY	\$2,800 00	\$2,800 00
i D6 Dozer (50K lb)	1	DELIVERY	\$2,800 00	\$2,800 00
j D6T LGP Dozer	10	MONTHS	\$8,800 00	\$88,000 00
k D8 Dozer (85K lb)	1	DELIVERY	\$3,250 00	\$3,250 00
l 953 Track Front End Loader	1	DELIVERY	\$2,800 00	\$2,800 00
m Off-Road Haulers(2)	1	DELIVERY	\$3,000 00	\$3,000 00
n Backhoe w/Forks attachment	1	DELIVERY	\$1,560 00	\$1,560 00
o 770 John Deere Road Grader	1	DELIVERY	\$3,250 00	\$3,250 00
Line Item 2 Subtotal				\$274,400 00
3 Site Preparation				
a Remove / Re-Install (Barbed wire)	5280	LF	\$6 50	\$34,320 00
b Clearing & Grubbing	15	ACRE	\$11,050 00	\$165,750 00
c Grid layout & Zone Surveying	1	SURVEY	\$13,000 00	\$13,000 00
d Prep Site, Materials, set office & utilities	1	LUMP SUM	\$26,000 00	\$26,000 00
e Prep Site, Site Materials, set scales, scale house & utilities	1	LUMP SUM	\$36,050 00	\$36,050 00
f Traffic Controls - Flagmen and Signage	1	LUMP SUM	\$54,125 00	\$54,125 00
g Install Decontamination Zone	1	LUMP SUM	\$4,550 00	\$4,550 00
Line Item 3 Subtotal				\$333,795 00

Elm Creek Distal Zone, Distal 13 - Estimate Construction Costs for Remedial Activities

Line Items	Quantities	Unit	Unit Price	Subtotal
4 Construction and Maintenance of Access Road				
a Excavation and Embankment	1	LUMP SUM	\$54,125 00	\$54,125 00
b Borrow material from onsite source	1	LUMP SUM	\$23,750 00	\$23,750 00
c Base Course for Haul Road (initial and maintenance)	4000	TONS	\$35 00	\$140,000 00
d Erosion Control & Maintenance	1	LUMP SUM	\$16,540 00	\$16,540 00
e Roadway Construction Control & Maintenance	1	LUMP SUM	\$43,270 00	\$43,270 00
f Maintenance of Vegetation	85	ACRE	\$1,300 00	\$110,500 00
Line Item 4 Subtotal				\$388,185.00
5 Removal, Transportation, and Disposal of Unmarketable Source Material				
a Water Truck and Water for Dust Control	120	DAYS	\$1,436 50	\$172,380 00
b Removal and Transportation of Source Material to Repository	520000	TONS	\$10 00	\$5,200,000 00
c 20 cy Roll Off Containers, Waste Material X2	30	DAYS	\$650 00	\$19,500 00
d Survey and layout during remediation	100	DAYS	\$1,105 00	\$110,500 00
Line Item 5 Subtotal				\$5,502,380.00
6 Removal, Transportation, and Disposal of Marketable Source Material				
a Removal and Transportation of Marketable Source Material to purchaser	80000	TONS	\$11 00	\$880,000 00
Line Item 6 Subtotal				\$880,000.00
7 Filling and Capping of Mine Shafts and Cased Borings				
a Mine Shaft Filling, Adjustable per Site Conditions ea.	9	EACH	\$5,000 00	\$45,000 00
b Subsidence Features, Filling per Site Conditions ea	1	EACH	\$5,000 00	\$5,000 00
b Cased Borings	11	EACH	\$2,500 00	\$27,500 00
c Remove Asphalt Waste	1	LUMP SUM	\$45,000 00	\$45,000 00
Line Item 7 Subtotal				\$122,500.00
8 Water Management				
a Silt Curtain	12500	LF	\$6 00	\$75,000 00
b Hay Bales	200	BALES	\$10 00	\$2,000 00
c Rock Check Rip-Rap	100	TONS	\$50 00	\$5,000 00
c Initial Installation and management of SWPPP	1	LUMP SUM	\$25,000 00	\$25,000 00
d Maintenance of Erosion Control	1	LUMP SUM	\$22,500 00	\$22,500 00
Line Item 8 Subtotal				\$129,500.00
9 Sampling and Analyses				
a TZ Soils Field Sampling, Compositing, Sieving	25	EVENT	\$900 00	\$22,500 00
b TZ Soils Analytical (10 day TAT)	280	SAMPLES	\$75 00	\$21,000 00
c Level IV Data Package	5	REPORT	\$1,000 00	\$5,000 00
c Borrow Source Field Sampling, Compositing, Sieving and Analysis	3	EVENT	\$4,000 00	\$12,000 00
d Borrow Source Analytical (10 TAT)	12	SAMPLES	\$75 00	\$900 00
Line Item 9 Subtotal				\$61,400.00

Elm Creek Distal Zone, Distal 13 - Estimate Construction Costs for Remedial Activities

Line Items	Quantities	Unit	Unit Price	Subtotal
10 Site Restoration				
a Post Construction Final Site Review	1	REVIEW	\$4,500 00	\$4,500 00
b Topographic Survey of Grds by BIA Certified Surveyor	92	GRIDS	\$1,105.00	\$101,660 00
c Agricultural Lime (10 tons/acre)	850	TONS	\$25 00	\$21,250 00
d Chicken Litter (5 tons/acre, excludes buffer zone)	425	TONS	\$125 00	\$53,125 00
e Mushroom Compost (20 tons/acre, 25 tons/acre in buffer zone)	2125	TONS	\$70 00	\$148,750 00
f Soil, Water and Forage Lab Analysis (Assume 10 grids per event)	80	EVENTS	\$1,500 00	\$120,000 00
g Soil Amendment Study Evaluation	1	LUMP SUM	\$5,300 00	\$5,300 00
h Seeding, Mulching and Maintenance	85	ACRES	\$1,300 00	\$110,500 00
Line Item 10 Subtotal				\$565,085 00
11 Decon & Demobilization				
a Decon & Demobilize Scales	1	LUMP SUM	\$22,100 00	\$22,100 00
b Decon & Demobilize Heavy Equipment	1	LUMP SUM	\$109,850 00	\$109,850 00
c Decon & Demobilize Office	1	LUMP SUM	\$7,800 00	\$7,800 00
d Decon & Demobilize Water Equipment	1	LUMP SUM	\$4,550 00	\$4,550 00
e Decon & Demobilize Roll Off Boxes	1	LUMP SUM	\$4,550 00	\$4,550 00
Line Item 11 Subtotal				\$148,850 00
12 Repository				
a Dozer	10	MONTH	\$28,145 00	\$281,450 00
b Roller/Sheep's Foot	10	MONTH	\$15,500 00	\$155,000 00
c Water Truck and Water for Dust Control (Shared with Site)	120	DAYS	\$0 00	\$0 00
d Laborers for Tickets and Decon	10	MONTHS	\$5,412 50	\$54,125 00
e Blade and Maintenance (Shared with Site)	10	MONTH	\$0 00	\$0 00
Line Item 12 Subtotal				\$490,575.00
13 Pre-Operational Follow-Up Construction				
a Maintenance of Capped Mine Shaft Until Final Acceptance of Remedial Action	1	LUMP SUM	\$11,000 00	\$11,000 00
b Maintenance of Vegetative Cover Until Final Acceptance of Remedial Action	1	LUMP SUM	\$26,000 00	\$26,000 00
c Repair of Erosion Controls Until Final Acceptance of Remedial Action	1	LUMP SUM	\$12,000 00	\$12,000 00
Line Item 13 Subtotal				\$49,000.00
14 Health and Safety Incentive				
a Health and Safety Incentive (1% of Budget)	1%	BUDGET	\$9,006,470 00	\$90,064 70
Line Item 14 Subtotal				\$90,064 70
PROJECT SUBTOTAL				\$9,006,470 00
Health and Safety 1% Incentive				\$90,064 70
TOTAL PROJECT COSTS*				\$9,096,534.70

Grant Application Package

Opportunity Title:	EPA Mandatory Grant Programs
Offering Agency:	Environmental Protection Agency
CFDA Number:	66.802
CFDA Description:	Superfund State, Political Subdivision, and Indian Trib
Opportunity Number:	EPA-CEP-02
Competition ID:	
Opportunity Open Date:	
Opportunity Close Date:	10/04/2020
Agency Contact:	Please consult your regional office.

This opportunity is only open to organizations, applicants who are submitting grant applications on behalf of a company, state, local or tribal government, academia, or other type of organization.

Application Filing Name: Elm Creek Distal Zone-Distal Zone 13

Select Forms to Complete

Mandatory

Application for Federal Assistance (SF-424)

Optional

- ☒ Budget Narrative Attachment Form
- ☒ Assurances for Non-Construction Programs (SF-424B)
- ☒ Budget Information for Non-Construction Programs (SF-424A)
- ☒ EPA Form 4700-4
- ☒ EPA KEY CONTACTS FORM
- ☒ Grants.gov Lobbying Form
- ☒ Project Narrative Attachment Form
- ☐ Disclosure of Lobbying Activities (SF-LLL)

Instructions

[Show Instructions >>](#)

This electronic grants application is intended to be used to apply for the specific Federal funding opportunity referenced here.

If the Federal funding opportunity listed is not the opportunity for which you want to apply, close this application package by clicking on the "Cancel" button at the top of this screen. You will then need to locate the correct Federal funding opportunity, download its application and then apply.

Application for Federal Assistance SF-424

*** 1 Type of Submission**

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

*** 2 Type of Application**

- ☒ New
☐ Continuation
☐ Revision

*** If Revision, select appropriate letter(s)**

*** Other (Specify)**

*** 3 Date Received**

08/30/2015

4 Applicant Identifier

5a Federal Entity Identifier

5b Federal Award Identifier

State Use Only:

6 Date Received by State

7 State Application Identifier

8. APPLICANT INFORMATION:

*** a Legal Name**

Quapaw Tribe of Oklahoma

*** b Employer/Taxpayer Identification Number (EIN/TIN)**

73-0946495

*** c. Organizational DUNS**

1453100410000

d. Address:

*** Street1**

PO Box 765

Street2

5681 South 630 Road

*** City**

Quapaw

County/Parish

Ottawa

*** State**

OK Oklahoma

Province

*** Country**

USA UNITED STATES

*** Zip / Postal Code**

74354-0765

e. Organizational Unit:

Department Name

Environmental

Division Name

Elm Creek Distal Zone 13

f. Name and contact information of person to be contacted on matters involving this application:

Prefix

*** First Name**

Tim

Middle Name

*** Last Name**

Kent

Suffix

Title

Environmental Director

Organizational Affiliation

*** Telephone Number**

918-542-1853

Fax Number

918-540-2885

*** Email**

tkent@quapawtribe.com

Elm Creek Distal Zone, Distal 13 - Estimate Construction Costs for Remedial Activities

Line Items	Quantities	Unit	Unit Price	Subtotal
10 Site Restoration				
a Post Construction Final Site Review	1	REVIEW	\$4,500 00	\$4,500 00
b Topographic Survey of Grids by BIA Certified Surveyor	92	GRIDS	\$1,105 00	\$101,660 00
c Agricultural Lime (10 tons/acre)	850	TONS	\$25 00	\$21,250 00
d Chicken Litter (5 tons/acre, excludes buffer zone)	425	TONS	\$125 00	\$53,125 00
e Mushroom Compost (20 tons/acre, 25 tons/acre in buffer zone)	2125	TONS	\$70 00	\$148,750 00
f Soil, Water and Forage Lab Analysis (Assume 10 grids per event)	80	EVENTS	\$1,500 00	\$120,000 00
g Soil Amendment Study Evaluation	1	LUMP SUM	\$5,300 00	\$5,300 00
h Seeding, Mulching and Maintenance	85	ACRES	\$1,300 00	\$110,500 00
Line Item 10 Subtotal				\$565,085 00
11 Decon & Demobilization				
a Decon & Demobilize Scales	1	LUMP SUM	\$22,100 00	\$22,100 00
b Decon & Demobilize Heavy Equipment	1	LUMP SUM	\$109,850 00	\$109,850 00
c Decon & Demobilize Office	1	LUMP SUM	\$7,800 00	\$7,800 00
d Decon & Demobilize Water Equipment	1	LUMP SUM	\$4,550 00	\$4,550 00
e Decon & Demobilize Roll Off Boxes	1	LUMP SUM	\$4,550 00	\$4,550 00
Line Item 11 Subtotal				\$148,850 00
12 Repository				
a Dozer	10	MONTH	\$28,145 00	\$281,450 00
b Roller/Sheep's Foot	10	MONTH	\$15,500 00	\$155,000 00
c Water Truck and Water for Dust Control (Shared with Site)	120	DAYS	\$0 00	\$0 00
d Laborers for Tickets and Decon	10	MONTHS	\$5,412 50	\$54,125 00
e Blade and Maintenance (Shared with Site)	10	MONTH	\$0 00	\$0 00
Line Item 12 Subtotal				\$490,575 00
13 Pre-Operational Follow-Up Construction				
a Maintenance of Capped Mine Shaft Until Final Acceptance of Remedial Action	1	LUMP SUM	\$11,000 00	\$11,000 00
b Maintenance of Vegetative Cover Until Final Acceptance of Remedial Action	1	LUMP SUM	\$26,000 00	\$26,000 00
c Repair of Erosion Controls Until Final Acceptance of Remedial Action	1	LUMP SUM	\$12,000 00	\$12,000 00
Line Item 13 Subtotal				\$49,000 00
14 Health and Safety Incentive				
a Health and Safety Incentive (1% of Budget)	1%	BUDGET	\$9,006,470 00	\$90,064 70
Line Item 14 Subtotal				\$90,064 70
PROJECT SUBTOTAL				\$9,006,470 00
Health and Safety 1% Incentive				\$90,064 70
TOTAL PROJECT COSTS*				\$9,096,534 70

Elm Creek Distal Zone, Distal 13 - Estimate Construction Costs for Remedial Activities

Line Items	Quantities	Unit	Unit Price	Subtotal
1 Preparation of Site-Specific Plans, Pre-construction Submittals, and Project Engineering Support				
a Site-Specific Work Plan	1	PLAN	\$2,500 00	\$2,500 00
b Field Sampling and Analysis Plan	1	PLAN	\$5,000 00	\$5,000 00
c Quality Assurance Project Plan	1	PLAN	\$5,000 00	\$5,000 00
d Site Management Plan	1	PLAN	\$1,500 00	\$1,500 00
e Storm Water Pollution Prevention Plan	1	PLAN	\$4,000 00	\$4,000 00
f Construction Quality Assurance Plan	1	PLAN	\$3,000 00	\$3,000 00
g Transportation Plan	1	PLAN	\$2,500 00	\$2,500 00
h Disposition Plan	1	PLAN	\$1,500 00	\$1,500 00
i Mine Shaft Closure Plan	1	PLAN	\$500 00	\$500 00
j Closed Boring Abandonment Procedures	1	PLAN	\$500 00	\$500 00
k Waste Management Plan	1	PLAN	\$500 00	\$500 00
l Spill Response Plan	1	PLAN	\$500 00	\$500 00
m Project Specifications	1	PLAN	\$1,500 00	\$1,500 00
n Health and Safety Plan	1	PLAN	\$1,500 00	\$1,500 00
o Engage Oklahoma Surveyor to Shoot Boundaries and Mark Work Areas	1	PLAN	\$24,000 00	\$24,000 00
p Develop Community Relation Plan	1	PLAN	\$1,500 00	\$1,500 00
q Develop Remedial Action Report	1	REPORT	\$5,300 00	\$5,300 00
Line Item 1 Subtotal				\$60,800.00
2 Site Mobilization				
a Office Trailer w/ Utilities	10	MONTHS	\$2,145 00	\$21,450 00
b Portable Toilets x 5	10	MONTHS	\$520 00	\$5,200 00
c Portable Truck Scales	10	MONTHS	\$3,900 00	\$39,000 00
d Portable Truck Scales, Building w/ Utilities	10	MONTHS	\$1,980 00	\$19,800 00
e Safety/Zone Fencing, Signage & Barricades	1	LUMP SUM	\$6,240 00	\$6,240 00
f Lighted Traffic Boards x 6 (\$1,200 each)	10	MONTHS	\$7,200 00	\$72,000 00
g 330 Excavator (90K lb)	1	DELIVERY	\$3,250 00	\$3,250 00
h 318 Excavator (50K lb)	1	DELIVERY	\$2,800 00	\$2,800 00
i D6 Dozer (50K lb)	1	DELIVERY	\$2,800 00	\$2,800 00
j D6T LGP Dozer	10	MONTHS	\$8,800 00	\$88,000 00
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o 770 John Deere Road Grader	1	DELIVERY	\$3,250 00	\$3,250 00
Line Item 2 Subtotal				\$274,400.00
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b Clearing & Grubbing	15	ACRE	\$11,050 00	\$165,750 00
c Grid layout & Zone Surveying	1	SURVEY	\$13,000 00	\$13,000 00
d Prep Site, Materials, set office & utilities	1	LUMP SUM	\$26,000 00	\$26,000 00
e Prep Site, Site Materials, set scales, scale house & utilities	1	LUMP SUM	\$36,050 00	\$36,050 00
f Traffic Controls - Flagmen and Signage	1	LUMP SUM	\$54,125 00	\$54,125 00
g Install Decontamination Zone	1	LUMP SUM	\$4,550 00	\$4,550 00
Line Item 3 Subtotal				\$333,795 00

Elm Creek Distal Zone, Distal 13 - Estimate Construction Costs for Remedial Activities

Line Items	Quantities	Unit	Unit Price	Subtotal
4 Construction and Maintenance of Access Road				
a Excavation and Embankment	1	LUMP SUM	\$54,125 00	\$54,125 00
b Borrow material from onsite source	1	LUMP SUM	\$23,750 00	\$23,750 00
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e Roadway Construction Control & Maintenance	1	LUMP SUM	\$43,270 00	\$43,270 00
f Maintenance of Vegetation	85	ACRE	\$1,300 00	\$110,500 00
Line Item 4 Subtotal				\$388,185 00
5 Removal, Transportation, and Disposal of Unmarketable Source Material				
a Water Truck and Water for Dust Control	120	DAYS	\$1,436 50	\$172,380 00
b Removal and Transportation of Source Material to Repository	520000	TONS	\$10 00	\$5,200,000 00
c 20 cy Roll Off Containers, Waste Material X2	30	DAYS	\$650 00	\$19,500 00
d Survey and layout during remediation	100	DAYS	\$1,105 00	\$110,500 00
Line Item 5 Subtotal				\$5,502,380 00
6 Removal, Transportation, and Disposal of Marketable Source Material				
a Removal and Transportation of Marketable Source Material to purchaser	80000	TONS	\$11 00	\$880,000 00
Line Item 6 Subtotal				\$880,000 00
7 Filling and Capping of Mine Shafts and Cased Borings				
a Mine Shaft Filling, Adjustable per Site Conditions ea	9	EACH	\$5,000 00	\$45,000 00
b Subsidence Features, Filling per Site Conditions ea	1	EACH	\$5,000 00	\$5,000 00
b Cased Borings	11	EACH	\$2,500 00	\$27,500 00
c Remove Asphalt Waste	1	LUMP SUM	\$45,000 00	\$45,000 00
Line Item 7 Subtotal				\$122,500 00
8 Water Management				
a Silt Curtain	12500	LF	\$6 00	\$75,000 00
b Hay Bales	200	BALES	\$10 00	\$2,000 00
c Rock Check Rip-Rap	100	TONS	\$50 00	\$5,000 00
c Initial Installation and management of SWPPP	1	LUMP SUM	\$25,000 00	\$25,000 00
d Maintenance of Erosion Control	1	LUMP SUM	\$22,500 00	\$22,500 00
Line Item 8 Subtotal				\$129,500 00
9 Sampling and Analyses				
a TZ Soils Field Sampling, Compositing, Sieving	25	EVENT	\$900 00	\$22,500 00
b TZ Soils Analytical (10 day TAT)	280	SAMPLES	\$75 00	\$21,000 00
c Level IV Data Package	5	REPORT	\$1,000 00	\$5,000 00
c Borrow Source Field Sampling, Compositing, Sieving and Analysis	3	EVENT	\$4,000 00	\$12,000 00
d Borrow Source Analytical (10 TAT)	12	SAMPLES	\$75 00	\$900 00
Line Item 9 Subtotal				\$61,400 00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	<div style="border: 1px solid black; padding: 5px; min-height: 150px;"> Elm Creek Distal Zone-Distal Zone 13 </div>				
a. Personnel	\$ 249,940.00	\$	\$	\$	\$ 249,940.00
b. Fringe Benefits	64,951.00				64,951.00
c. Travel	0.00				
d. Equipment	0.00				
e. Supplies	7,600.00				7,600.00
f. Contractual	9,096,535.00				9,096,535.00
g. Construction	0.00				
h. Other	11,810.00				11,810.00
i. Total Direct Charges (sum of 6a-6h)	9,430,836.00				\$ 9,430,836.00
j. Indirect Charges	142,881.00				\$ 142,881.00
k. TOTALS (sum of 6i and 6j)	\$ 9,573,717.00	\$	\$	\$	\$ 9,573,717.00
7. Program Income	\$	\$	\$	\$	\$

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Standard Form 424A (Rev 7-97)
Prescribed by OMB (Circular A-102) Page 1A

SECTION C - NON-FEDERAL RESOURCES				
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>
9. <input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
10. <input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
11. <input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
12. TOTAL (sum of lines 8-11)	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>
14. Non-Federal	\$ <input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
15. TOTAL (sum of lines 13 and 14)	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT				
(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16. <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>
17. <input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
18. <input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
19. <input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
20. TOTAL (sum of lines 16 - 19)	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>	\$ <input style="width: 95%;" type="text"/>

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges: <input style="width: 95%;" type="text"/>	22. Indirect Charges: <input style="width: 95%;" type="text"/>
23. Remarks: <input style="width: 95%;" type="text"/>	

*** See Instructions**

Instructions for EPA FORM 4700-4 (Rev 04/2009) General Recipients of Federal financial assistance from the U S Environmental Protection Agency must comply with the following statutes and regulations

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the statute shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment). Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities. Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability in the United States shall solely by reason of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of disability is prohibited in all such programs or activities. The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission. Title IX of the Education Amendments of 1972 provides that no person in the United States on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note, an education program or activity is not limited to only those conducted by a formal institution. 40 C.F.R. Part 5 implements Title IX of the Education Amendments of 1972. 40 C.F.R. Part 7 implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of The Rehabilitation Act of 1973. The Executive Order 13166 (E.O. 13166) entitled, "Improving Access to Services for Persons with Limited English Proficiency" requires Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries. Items "Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance. 40 C.F.R. §§ 5.105, 7.25. "Recipient" means any entity, other than applicant, which will actually receive EPA assistance. 40 C.F.R. §§ 5.105, 7.25. "Civil rights lawsuits and administrative complaints" means any lawsuit or administrative complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability pending or decided against the applicant and/or entity which actually benefits from the grant, but excluding employment complaints not covered by 40 C.F.R. Parts 5 and 7. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed. "Civil rights compliance review" means any review assessing the applicant's and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age, or disability. Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission. If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable." In the event applicant is uncertain about how to answer any questions, EPA program officials should be contacted for clarification. * Note: Signature appears in the Approval Section of the EPA Comprehensive Administrative Review For Grants/Cooperative Agreements & Continuation/Supplemental Awards form. Approval indicates, in the reviewer's opinion, questions I – VI of Form 4700-4 comply with the preaward administrative requirements for EPA assistance.

BUDGET INFORMATION - Non-Construction Programs

OMB Number 4040-0006
Expiration Date 06/30/2014

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Elm Creek Distal Zone-Distal Zone 13	66.802	\$	\$	\$ 9,573,717.00	\$	\$ 9,573,717.00
2.						
3.						
4.						
5. Totals		\$	\$	\$ 9,573,717.00	\$	\$ 9,573,717.00

Preaward Compliance Review Report for All Applicants and Recipients Requesting EPA Financial Assistance

Note Read Instructions before completing form

I. A. Applicant/Recipient (Name, Address, City, State, Zip Code)

Name
Address
City
State Zip Code

B. DUNS No.

II. Is the applicant currently receiving EPA Assistance? ☒ Yes ☐ No

III. List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7.)

None

IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective actions taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7.)

None

V. List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))

None

VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below.

☐ Yes ☒ No

a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b).

☐ Yes ☐ No

b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. 7.70) applies.

VII. Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its program or activities? (40 C.F.R. 5.140 and 7.95)

☒ Yes ☐ No

a. Do the methods of notice accommodate those with impaired vision or hearing?

☒ Yes ☐ No

b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications?

☒ Yes ☐ No

c. Does the notice identify a designated civil rights coordinator?

☐ Yes ☒ No

VIII. Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. 7.85(a))

☐ Yes ☒ No

IX. Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166)

☐ Yes ☒ No

- X. If the applicant is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator.

No

- XI. If the applicant is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet Address for, or a copy of, the procedures.

No

For the Applicant/Recipient

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized Official

Tammy Arnold

B. Title of Authorized Official

Environmental Grants Manager

C. Date

06/30/2015

For the U.S. Environmental Protection Agency

I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7, that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7, and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.

A. *Signature of Authorized EPA Official

B. Title of Authorized Official

C. Date

EPA KEY CONTACTS FORM

Authorized Representative: Original awards and amendments will be sent to this individual for review and acceptance, unless otherwise indicated

Name: Prefix:		First Name:	Donna	Middle Name:		
	Last Name:	Mercer			Suffix:	
Title:	Tribal Administrator					
Complete Address:						
Street1:	PO Box 765					
Street2:	5681 S 630 Rd					
City:	Quapaw	State:	OK: Oklahoma			
Zip / Postal Code:	74363	Country:	USA: UNITED STATES			
Phone Number:	918-542-1853	Fax Number:	918-542-4694			
E-mail Address:	dmercerc@quapawtribe.com					

Payee: Individual authorized to accept payments.

Name: Prefix:		First Name:	Eric	Middle Name:		
	Last Name:	Bohn			Suffix:	
Title:	Finance Director					
Complete Address:						
Street1:	PO Box 765					
Street2:	5681 S 630 Rd					
City:	Quapaw	State:	OK: Oklahoma			
Zip / Postal Code:	74363	Country:	USA: UNITED STATES			
Phone Number:	918-542-1853	Fax Number:	918-542-4694			
E-mail Address:	ebohn@quapawtribe.com					

Administrative Contact: Individual from Sponsored Programs Office to contact concerning administrative matters (i.e., indirect cost rate computation, rebudgeting requests etc)

Name: Prefix:		First Name:	Tammy	Middle Name:		
	Last Name:	Arnold			Suffix:	
Title:	Environmental Grants Manager					
Complete Address:						
Street1:	PO Box 765					
Street2:	5681 S 630 Rd					
City:	Quapaw	State:	OK: Oklahoma			
Zip / Postal Code:	74363	Country:	USA: UNITED STATES			
Phone Number:	918-542-1853	Fax Number:	918-540-2885			
E-mail Address:	tarnold@quapawtribe.com					

EPA KEY CONTACTS FORM

Project Manager: *Individual responsible for the technical completion of the proposed work*

Name: Prefix: First Name: Middle Name:

Last Name:

Suffix:

Title:

Complete Address:

Street1:

Street2:

City:

State:

Zip / Postal Code:

Country:

Phone Number:

Fax Number:

E-mail Address:

Project Narrative File(s)

* Mandatory Project Narrative File Filename:

To add more Project Narrative File attachments, please use the attachment buttons below

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S Code Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U S Code Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure

* APPLICANT'S ORGANIZATION

Quapaw Tribe of Oklahoma

* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix * First Name Tammy Middle Name
* Last Name Arnold Suffix
* Title Environmental Grants Manager

* SIGNATURE Tammy Arnold

* DATE 06/30/2015

Budget Narrative File(s)

* **Mandatory Budget Narrative Filename:**

To add more Budget Narrative attachments, please use the attachment buttons below

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award, and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F)
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290dd-3 and 290ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds

- 9 Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U S C §§276a to 276a-7), the Copeland Act (40 U S C §276c and 18 U S C §874), and the Contract Work Hours and Safety Standards Act (40 U S C §§327-333), regarding labor standards for federally-assisted construction subagreements
- 10 Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P L 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more
- 11 Will comply with environmental standards which may be prescribed pursuant to the following (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P L 91-190) and Executive Order (EO) 11514, (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990, (d) evaluation of flood hazards in floodplains in accordance with EO 11988, (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U S C §§1451 et seq), (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U S C §§7401 et seq), (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P L 93-523), and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P L 93-205)
- 12 Will comply with the Wild and Scenic Rivers Act of 1968 (16 U S C §§1271 et seq) related to protecting components or potential components of the national wild and scenic rivers system
- 13 Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U S C §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U S C §§469a-1 et seq).
- 14 Will comply with P L 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance
- 15 Will comply with the Laboratory Animal Welfare Act of 1966 (P L 89-544, as amended, 7 U S C. §§2131 et seq) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance
- 16 Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U S C §§4801 et seq) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures
- 17 Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations "
- 18 Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program
- 19 Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U S C 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
Tammy Arnold	Environmental Grants Manager
APPLICANT ORGANIZATION	DATE SUBMITTED
Quapaw Tribe of Oklahoma	06/30/2015

**Indian Organizations
Indirect Cost Negotiation Agreement**

EIN 73-0946495

Organization:

Quapaw Tribe of Oklahoma
P.O. Box 765
Quapaw, OK 74363-0765

Date: November 22, 2013

Report No(s): 14-A-0187

Filing Ref.:

Last Negotiation Agreement
dated May 16, 2013

The indirect cost rate contained herein is for use on grants, contracts, and other agreements with the Federal Government to which Public Law 93-638 and 2 CFR 225 (OMB Circular A-87) apply, subject to the limitations contained in 25 CFR 900 and in Section II.A. of this agreement. The rate was negotiated by the U.S. Department of the Interior, Interior Business Center, and the subject organization in accordance with the authority contained in 2 CFR 225.

Section I: Rate

Type	Effective Period		Rate*	Locations	Applicable
	From	To			To
Fixed Carryforward	10/01/13	09/30/14	42.74%	All	All Programs

***Base:** Total direct costs, less capital expenditures and passthrough funds. Passthrough funds are normally defined as major subcontracts, payments to participants, stipends to eligible recipients, and subgrants, all of which normally require minimal administrative effort.

Treatment of fringe benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs; fringe benefits applicable to indirect salaries and wages are treated as indirect costs.

Section II: General

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A. Limitations: Use of the rate contained in this agreement is subject to any applicable statutory limitations. Acceptance of the rate agreed to herein is predicated upon these conditions: (1) no costs other than those incurred by the subject organization were included in its indirect cost rate proposal, (2) all such costs are the legal obligations of the grantee/contractor, (3) similar types of costs have been accorded consistent treatment, and (4) the same costs that have been treated as indirect costs have not been claimed as direct costs (for example, supplies can be charged directly to a program or activity as long as these costs are not part of the supply costs included in the indirect cost pool for central administration).

B. Audit: All costs (direct and indirect, federal and non-federal) are subject to audit. Adjustments to amounts resulting from audit of the cost allocation plan or indirect cost rate proposal upon which the negotiation of this agreement was based will be compensated for in a subsequent negotiation agreement.

C. **Changes:** The rate contained in this agreement is based on the organizational structure and the accounting system in effect at the time the proposal was submitted. Changes in organizational structure, or changes in the method of accounting for costs that affect the amount of reimbursement resulting from use of the rate in this agreement, require the prior approval of the responsible negotiation agency. Failure to obtain such approval may result in subsequent audit disallowance.

D.

1. **Fixed Carryforward Rate:** The fixed carryforward rate is based on an estimate of costs that will be incurred during the period for which the rate applies. When the actual costs for such period have been determined, an adjustment will be made to the rate for a future period, if necessary, to compensate for the difference between the costs used to establish the fixed rate and the actual costs.

2. **Provisional/Final Rate:** Within 6 months after year end, the final rate must be submitted based on actual costs. Billings and charges to contracts and grants must be adjusted if the final rate varies from the provisional rate. If the final rate is greater than the provisional rate and there are no funds available to cover the additional indirect costs, the organization may not recover all indirect costs. Conversely, if the final rate is less than the provisional rate, the organization will be required to pay back the difference to the funding agency.

E. **Agency Notification:** Copies of this document may be provided to other federal offices as a means of notifying them of the agreement contained herein.

F. **Record Keeping:** Organizations must maintain accounting records that demonstrate that each type of cost has been treated consistently either as a direct cost or an indirect cost. Records pertaining to the costs of program administration, such as salaries, travel, and related costs, should be kept on an annual basis.

G. **Reimbursement Ceilings:** Grantee/contractor program agreements providing for ceilings on indirect cost rates or reimbursement amounts are subject to the ceilings stipulated in the contract or grant agreements. If the ceiling rate is higher than the negotiated rate in Section I of this agreement, the negotiated rate will be used to determine the maximum allowable indirect cost.

H. **Use of Other Rates:** If any federal programs are reimbursing indirect costs to this grantee/contractor by a measure other than the approved rate in this agreement, the grantee/contractor should credit such costs to the affected programs, and the approved rate should be used to identify the maximum amount of indirect cost allocable to these programs.

I. **Central Service Costs:** Where central service costs are estimated for the calculation of indirect cost rates, adjustments will be made to reflect the difference between provisional and final amounts.

J. Other:

1. The purpose of an indirect cost rate is to facilitate the allocation and billing of indirect costs. Approval of the indirect cost rate does not mean that an organization can recover more than the actual costs of a particular program or activity.

2. Programs received or initiated by the organization subsequent to the negotiation of this agreement are subject to the approved indirect cost rate if the programs receive administrative support from the indirect cost pool. It should be noted that this could result in an adjustment to a future rate.

3. New indirect cost proposals are necessary to obtain approved indirect cost rates for future fiscal or calendar years. The proposals are due in our office 6 months prior to the beginning of the year to which the proposed rates will apply.

Section III: Acceptance

Listed below are the signatures of acceptance for this agreement:

By the Indian Organization:

By the Cognizant Federal
Government Agency:

Quapaw Tribe of Oklahoma
Tribal Government

U.S. Department of the Interior
Interior Business Center
Agency

Donna Mercer /s/

Signature

Donna Mercer

Name (Type or Print)

Tribal Administrator

Title

11-18-13

Date

Deborah A. Moberly /s/

Signature

Deborah A. Moberly

Name

Office Chief

Office of Indirect Cost Services

Title

NOV 22 2013

Date

Negotiated by Jacqueline B. Ross

Telephone (916) 566-7003